

14 The CONSTITUTION and

favour, affection, partiality, or prejudice, such persons for senators as they, in their judgment and conscience, believe best qualified for the office."

19. That in case of refusal, death, resignation, disqualification, or removal out of this state, of any senator, or on his becoming governor, or a member of the council, the senate shall immediately thereupon, or at their next meeting thereafter, elect by ballot, in the same manner as the electors are above directed to chuse senators, another person in his place, for the residue of the said term of five years.

20. That not less than a majority of the senate, with their president, (to be chosen by them by ballot) shall constitute an house for the transacting any business, other than that of adjourning.

21. That the senate shall judge of the elections and qualification of senators.

22. That the senate may originate any other, except money bills, to which their assent or dissent only shall be given, and may receive any other bills from the house of delegates, and assent, dissent or propose amendments.

23. That the general assembly meet annually, on the first Monday of November, and if necessary oftener.

24. That each house shall appoint its own officers, and settle its own rules of proceeding.

25. That a person of wisdom, experience, and virtue, shall be chosen governor, on the second Monday of November 1777, and on the second Monday in every year for ever thereafter, by the joint ballot of both houses, to be taken in each house respectively, deposited in a conference room, the boxes to be examined by a joint committee of both houses, and the numbers severally reported, that the appointment may be entered; which mode of taking the joint ballot of both houses shall be adopted in all cases. But if two or more shall have an equal number of ballots in their favour, by which the choice shall not be determined on the first ballot, then a second ballot shall be taken, which shall be confined to the persons, who on the first ballot shall have had an equal number; and if the ballots should again be equal between two or more persons, then the election of the governor shall be determined by lot, between those who have equal numbers; and if the person chosen governor shall die, resign, remove out of the state, or refuse to act (sitting the general assembly) the senate and house of delegates shall immediately thereupon proceed to a new choice in manner aforesaid.

26. That